

FISH and WILDLIFE COMMISSION AGENDA ITEM COVER SHEET

Meeting Date: August 10, 2017

Agenda Item: Whitefish Lake Watershed Project (Swift Lazy Conservation Easement)

Division: Wildlife

Action Needed: Final

Time Needed on Agenda for this Presentation: 15 Min

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Background

The Whitefish Lake Watershed Project is a proposal by Montana Fish, Wildlife & Parks (FWP) and The Trust for Public Land (TPL) to conserve 21 sections (approximately 13,398 acres) of Weyerhaeuser property located approximately nine miles northwest of Whitefish. Under this proposal, TPL would acquire the entire Project area from Weyerhaeuser by the end of September 2017. FWP would purchase the Lazy Creek Conservation Easement (CE) on 16 sections (~10,218 acres). The CE would be purchased in two phases, based on appraised value, using a combination of USFS Forest Legacy Funding (~\$11 - \$14 million) and USFWS Habitat Conservation Plan Land Acquisition Grant funding (~\$4 million) with grant matching funds coming from FWP's Habitat Montana Program (\$1 million per phase) and the balance from TPL. The Montana Department of Natural Resources and Conservation (DNRC) would purchase the underlying fee ownership from TPL once the conservation easement is in place.

The Bonneville Power Administration (BPA) would provide funding (~\$11.5 million) for purchase of the other five sections (~3,180 acres) in the Swift Creek drainage. In exchange for their funding, BPA would retain a perpetual conservation easement on the five sections to conserve important native fish habitat within the Swift Creek watershed. Ownership of the Swift Creek sections would be transferred to either DNRC or FWP, depending on which alternative is selected. The BPA portion of this proposed Project would serve as partial mitigation for fisheries losses resulting from construction of Hungry Horse Dam.

Public Involvement Process & Results

An EA was released for public comment from June 13 to July 12, and included a public hearing in Whitefish on June 21. Legal notices were published twice in four local newspapers and the EA was posted on the FWP webpage. FWP received 34 public comments with all in favor of conserving this property. Four specified a preference for the preferred alternative and two supported the secondary alternative, with one of those wanting FWP or the USFS to own the entire property. All comments are addressed in the decision document.

Alternatives and Analysis

Three alternatives were analyzed and considered in the EA: 1) Preferred Alternative: purchase a conservation easement on the Lazy Creek portion (up to 10,218 acres) of the Project area; 2) Secondary Alternative: purchase a conservation easement on the Lazy Creek portion (up to 10,218 acres) of the Project area and assume ownership of and management responsibility for the Swift Creek portion (3,180 acres) of the Project area subject to a BPA conservation easement; and 3) No Action Alternative: FWP would hold no interest in the property. Under the No Action Alternative, it is likely the property would ultimately be sold and developed, with potential impacts to fish and wildlife, public access, and water quality within the watershed.

Agency Recommendation & Rationale

FWP recommends the Commission approve FWP purchasing a conservation easement on the Lazy Creek portion of the Project area. DNRC is planning to acquire ownership of the entire Project area pending Land Board approval, so the Preferred Alternative would allow for successful completion of this important conservation opportunity.

Proposed Motion

I move the Fish and Wildlife Commission approve the FWP purchase of a conservation easement on the Lazy Creek portion of the Whitefish Lake Watershed Project area as proposed in the Preferred Alternative.